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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

UNITED STATES OF AMERICA,	)	Case No. 18-CR-00258 EJD
	)	
Plaintiff,	)	STIPULATION REGARDING CERTAIN
	)	EXHIBITS
v.	)	
	)	
RAMESH BALWANI,	)	
	)	
Defendant.	)	
	)	

1 The United States and Ramesh Balwani, through undersigned counsel, hereby stipulate and agree  
2 as follows:

3 1. Exhibit 5387 is an Excel spreadsheet of text, SMS, or Skype messages involving Ramesh  
4 Balwani and Elizabeth Holmes. Exhibit 5387 and all individual messages therein on the dates and times  
5 shown are authentic for the purposes of Federal Rules of Evidence 901(i.e., they accurately depict the  
6 date and time of individual messages and the sender and recipient(s) of individual messages) and are  
7 admissible over any objections as to authenticity or best evidence. The parties reserve all other  
8 objections to Exhibit 5387 and individual messages contained in Exhibit 5387.

9 2. Emails to or from email addresses with the domain @theranos.com that were sent or  
10 received by Theranos personnel and bear the bates prefixes HOLMES, THER-, THERDOJ-, THPFM-,  
11 THER-AZ-, TS-, and TS2-, and produced in discovery in this matter prior to February 18, 2022, are true  
12 and correct copies of emails stored, collected, and/or produced by Theranos. Such documents are  
13 authentic for the purposes of Federal Rules of Evidence 901 and 902 and are admissible over any  
14 objections as to authenticity or best evidence. The parties reserve all other objections to individual  
15 emails.

16 3. The following video exhibits are authentic for the purposes of Federal Rules of Evidence  
17 901 and 902 and are admissible over any objections as to authenticity or best evidence. The parties  
18 reserve all other objections to these exhibits.

19 (a) Exhibit 1221 is a true and correct copy of a video interview of Elizabeth Holmes  
20 on or about November 6, 2013, by Caitlin Roper of *Wired*.

21 (b) Exhibit 1253 is a true and correct copy of a video interview of Elizabeth Holmes  
22 on or about October 30, 2013, by Eric Topol of Medscape.

23 (c) Exhibit 1616 is a true and correct copy of a video of proceedings before the  
24 Arizona Senate Health and Human Services Committee, including statements by  
25 Ramesh Balwani, on or about March 12, 2014.

26 (d) Exhibit 3727 is a true and correct copy of a TEDMED talk by Elizabeth Holmes  
27 on or about September 20, 2014.  
28

- (e) Exhibit 2274 is a true and correct copy of a video interview of Elizabeth Holmes on or about December 2, 2014, by Pattie Sellers of *Fortune*.
- (f) Exhibit 2283 is a true and correct copy of a video interview of Ken Auletta on or about December 12, 2014, by CNBC.
- (g) Exhibit 2431 is a true and correct copy of a video interview of Elizabeth Holmes and Toby Cosgrove on or about March 9, 2015, by Maria Bartiromo of Fox Business.
- (h) Exhibit 2476 is a true and correct copy of a news report aired on CBS on or about April 16, 2015, including statements by Elizabeth Holmes.
- (i) Exhibit 2851 is a true and correct copy of a video interview of Elizabeth Holmes on or about October 15, 2015, by Jim Cramer of CNBC.
- (j) Exhibit 2889 is a true and correct copy of a video interview of Elizabeth Holmes on or about October 21, 2015, by Jonathan Krim of *The Wall Street Journal*.
- (k) Exhibit 3716 is a true and correct copy of a video interview of Elizabeth Holmes on or about October 26, 2015, by Toby Cosgrove.
- (l) Exhibit 2949 is a true and correct copy of a video interview of Elizabeth Holmes on or about November 2, 2015, by Alan Murray of *Fortune*.
- (m) Exhibit 3152 is a true and correct copy of a news report aired on NBC on or about April 18, 2016, including statements by Elizabeth Holmes.

DATED: March 11, 2022

Respectfully submitted,

STEPHANIE M. HINDS  
United States Attorney

/s/ Robert S. Leach

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DATED: March 11, 2022

ORRICK, HERRINGTON &  
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/s/ Amy Walsh

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